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Filed : August 19, 1999

In addition to the amendments discussed during the interview, Applicants have replaced the term "online store" in some of the claims with the broader term "online sales system."

No new matter has been added by this Amendment.

II. Art based rejection

The pending claims stand rejected under section 102(e) over Linden et al (U.S. Patent No. 6,266,649). Applicants will treat Linden et al as prior art for purposes of responding to the Office Action, but reserve the right to later disqualify Linden et al as prior art.

a. Discussion of Linden et al

As discussed during the interview, the Linden et al patent fails to disclose many of the features of Applicants' preferred embodiments. For instance, Linden et al does not disclose or suggest the identification of items that are popular within specific user communities, wherein different communities represent different groups or subsets of users.

Linden et al also fails to disclose or suggest a method of evaluating the popularity of an item within a particular user community, wherein the method takes into consideration the actions of users both inside and outside the community. As discussed during the interview, by taking into consideration the purchases or other actions of non-members of the particular community, those items that "characterize" the community (e.g., because they are considerably more popular in the community than in a general user population) can be identified and brought to the attention of users.

Linden et al also fails to disclose or suggest the identification of items that are popular within specific "implicit membership" communities – such as those based on email addresses or shipping addresses of users – as set forth in some of the claims.

b. Discussion of Claims

As further discussed during the interview, the Linden et al patent does not disclose every limitation of any pending independent claim. The rejection under section 102(e) is therefore improper and should be withdrawn.

With respect to independent Claims 1 and 12, for example, Linden et al does not disclose a database that contains information about a plurality of user communities wherein different communities represent different subsets of users. Linden et al also does not disclose the identification of items that are, or have become, popular within a specific user community. The

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amendments made to Claims 1 and 12 provide further patentable distinctions but are not believed to be necessary for patentability over Linden et al.

With respect to independent Claim 26, Linden et al does not disclose "identifying a subset of users of the store that have email addresses that satisfy a particular criteria," and "identifying at least one item that is popular among the subset of users." In addition, as discussed above, Linden et al does not suggest using purchase history data of the subset of users, and of users falling outside the subset, to identify the at least one item.

With respect to independent Claim 32, Linden et al does not disclose "processing the history data of the general population of users, including the community of users, to identify a set of items that distinguish the community from the general population."

Linden et al also fails to disclose the invention as defined in new independent Claim 43, which was discussed during the interview as proposed Claim 37. For instance, Linden et al does not disclose "processing the history data to identify an item that is relatively popular among the subset of users in comparison to a popularity level of the item among the population of users."

The dependent claims recite additional distinctions that provide additional bases for patentability.

III. Conclusion

In view of the foregoing amendments and remarks, Applicants submit that the claims are patentably distinct from Linden et al, and request that the application be allowed.

If any issues remain which can potentially be resolved by telephone, the Examiner is invited to call the undersigned attorney of record at his direct dial number of 949-721-2950.

Please charge all fees that are due to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4-4-02

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

**The paragraph beginning at page 7, line 3 has been revised as follows:**

The Community Interests services operate generally by tracking purchases of books within particular user communities, and using this information to assist potential customers in locating and evaluating book titles. The services can also be used with other types of products. The communities preferably include both "explicit membership communities" that users actively join, and "implicit membership communities" that are [computer] computed or otherwise identified from information known about the user (e.g., stored in the user database). Examples of implicit membership communities include domain-based communities such as *Microsoft.com Users* and geographic region [base] based communities such as *New Orleans Area Residents*; memberships to these two types of communities may be determined from user email addresses and shipping addresses, respectively.

**The paragraph beginning at page 15, line 12, has been revised as follows:**

Figure 5 illustrates a set of Web site system components that may be used to implement the above-described features. The Web site system includes a Web server 76 which accesses a database 78 of HTML (Hypertext Markup Language) and related content. The HTML database 78 contains, among other things, the basic HTML documents used to generate the personalized sign-up, community bestsellers, and product detail pages of Figures 1-3. The Web server 76 accesses service code 80, which in-turn accesses a user database 82, a community database 84, a bibliographic database of product data (not shown), and a database or other repository of community data 86. The various databases are shown separately in Figure [1] 5 for purposes of illustration, but may in practice be combined within one or more larger database systems. The service code 80 and other executable components may, for example, run on one or more Unix or Windows NT based servers and/or workstations.

**The paragraph beginning at page 20, line 23 has been revised as follows:**

The next step 124 involves generating the bestseller lists for each of the selected communities. This process is illustrated by Figure 7B and is described below. In step 126, the process identifies any communities that are related to the user's base communities, so that these related communities can be displayed within or at the top of the drop-down list 50 (Figure 2). Any

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composite community which includes one of the user's base communities may automatically be included in this list. In addition, information stored in the community database 84 may be used to identify related base communities. In other implementations, this step [124] 126 may be omitted. Finally, in step 128, the bestseller lists and the list of related communities are incorporated into the community bestsellers page.

**The paragraph beginning at page 22, line 3 has been revised as follows:**

Figure 8 illustrates the steps that are performed by the product detail page process 80C to generate detail pages (as in Figure 3) for participants in the Contact Information Exchange program. As indicated above, product detail pages can be accessed using any of the site's navigation methods, such as conducting a search for a title. In step 150, a list of the base communities of which the user is a member is obtained — either from a browser cookie or from the user database 82. In step 152, for [For] each base community in this list, that community's product-to-member mapping table 86B (Figure 5) is accessed to identify any other users within the community that have purchased the product. In step 154, the contact information for each such user is read from the table 86B or from the user database 82. In step 156, the contact information and associated base community names are incorporated into the product's detail page.

**The originally-filed claims have been revised as follows:**

1. (Amended) A method of assisting users in selecting items from an electronic catalog of items, the catalog accessible to users of an online [store] sales system that provides services for allowing users to purchase items from the catalog, the method comprising:

providing a database which contains information about a plurality of user communities, wherein different communities represent different subsets of users of the store;

tracking online purchases of items from the [store] sales system by the users to generate purchase history data, and storing the purchase history data in a computer memory;

processing at least the purchase history data to identify at least one item which, based on [pre-specified criteria] actions of both members and non-members of a selected community of said plurality of user communities, has become popular within [a particular] the selected community relative to its popularity outside the selected community; and

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electronically notifying [members of the community] users that the at least one item is popular within the selected community.

2. (Amended) The method of Claim 1, wherein electronically notifying [members of the community] users comprises generating a Web page which includes a community-based most popular items list.

4. (Amended) The method of Claim 1, wherein electronically notifying [members of the community] users comprises automatically generating and sending an email message to members of the selected community.

12. (Amended) A system for assisting users of an online [store] sales system in selecting items from an electronic catalog of items, the system comprising:

at least one database which contains purchase history data for users of the [store] sales system, and which contains information about a plurality of user communities wherein different communities represent different subsets of users of the [store] sales system; and

a computer process which analyzes at least the purchase history data to identify [identifies] items that are popular within particular communities of the plurality of communities relative to their respective popularity levels among a general user population [by analyzing at least the purchase history data], and which notifies users of the [store] sales system of the items that are popular within particular communities.

24. (Amended) The system of Claim 12, wherein the process identifies items that are popular within particular communities by at least identifying a set of items purchased [my] by members of a community that distinguishes the community from a general user population.

26. (Amended) A method of assisting users in selecting items from an electronic catalog of items, the catalog accessible to users of an online [store] sales system that provides services for allowing users to purchase items from the catalog, the method comprising the computer-implemented steps of:

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identifying a subset of users of the store that have email addresses that satisfy a particular criteria, wherein the subset comprises a plurality of users;

identifying at least one item that is popular among the subset of users, wherein the step of identifying comprises processing purchase history data of [at least] the subset of users and of users falling outside said subset; and

electronically notifying users of the [store] online sales system of a popularity of the at least one item among the subset of users.

32. (Amended) A method of recommending items from a catalog of items, comprising:

identifying [a community of users that represents] a subset of a general population of users;

tracking at least one type of user activity that indicates user affinities for particular items of the catalog to generate history data;

processing the history data of the general population of users, including the [community] subset of users, to [identifying] identify a set of items that distinguish the [community] subset from the general population; and

recommending items from the set of items to members of the [community] subset.

33. (Amended) The method of Claim 32, wherein processing the history data comprises processing purchase history data, and the set of items consists essentially of items purchased by members of the [community] subset.

36. (Amended) The method of Claim 32, wherein the [community is] subset consists of members of an implicit-membership community.

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